



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 423	Assembly Amendment 1
<i>Memo published: September 16, 2003</i> <i>Contact: Don Dyke, Senior Staff Attorney (266-0292)</i>	

Under **current law**, an owner of a dog (defined in s. 174.001 (5), Stats.) is liable for double damages resulting from the dog injuring or causing injury to a person, domestic animal (defined in s. 174.001 (2) (g), Stats.), or property if the owner was notified or knew that the dog had previously injured or caused injury to a person, domestic animal, or property. Section 174.02 (1) (b), Stats.

Assembly Bill 423, among other things, modifies the double damages provision, allowing double damages resulting from a dog biting a person with sufficient force to break the skin and causing permanent physical scarring or disfigurement if the owner was notified or knew that the dog had previously, without provocation, bitten a person with sufficient force to break the skin and cause permanent physical damage or disfigurement.

Assembly Amendment 1 deletes the qualifier “[causing] permanent physical scarring or disfigurement” for both the first and subsequent bites and the qualifier “without provocation,” which under the bill applies to the first bite. Thus, under the amendment, double damages may be recovered if a dog bites a person with sufficient force to break the skin and the owner was notified or knew that the dog had previously bitten a person with sufficient force to break the skin.

Assembly Amendment 1 was introduced by Representative Gundrum. The Assembly Committee on Judiciary recommended adoption of Assembly Amendment 1 by a vote of Ayes, 6; Noes, 0.

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